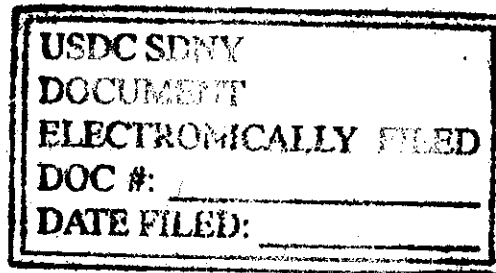


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December 20, 2019

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Via ECF

The Honorable Loretta A. Preska
United States District Judge
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street, Courtroom 2220
New York, New York 10007

Re: *Nespresso USA, Inc. v. Williams Sonoma, Inc.*; 1:19-cv-04223 (LAP)
Adjournment of Initial Pretrial Conference

Dear Judge Preska:

We represent Plaintiff and Counterclaim-Defendant Nespresso USA, Inc. in the above-referenced civil action. Pursuant to Rule 1.E of the Court's Individual Rules and Practices, we write with the consent of Defendant and Counterclaim-Plaintiff Williams Sonoma, Inc. to seek an adjournment of the January 13, 2020 Initial Pretrial Conference set for this case.

As per the Order of Conference issued by this Court on December 18, 2019, this Court has set an Initial Pretrial Conference for January 13, 2020 at 10:00 a.m. Dkt. No. 20. The parties respectfully submit that the Court and the parties will benefit from a brief adjournment of this date. Pursuant to a Stipulation and Order, dated November 22, 2019 [Dkt. No. 19], Nespresso USA will be filing an Amended Complaint on December 23, 2019, with Williams Sonoma thereafter filing its answer and/or response. The parties expect that those pleadings will alter the claims in this case and will impact the topics to be discussed at the Initial Pretrial Conference. In addition, the parties have been engaged in good faith settlement negotiations toward a possible amicable resolution of this dispute. Lastly, in any event, lead counsel for Defendant and Counterclaim-Plaintiff Williams Sonoma, Inc. will be attending trial in another matter in California on January 13, 2020 and is unable to attend the currently-scheduled Initial Pretrial Conference in this matter.

Given the foregoing, the parties respectfully submit that a brief adjournment of the Initial Pretrial Conference is the most efficient use of the Court's and the parties' time and resources.

The Honorable Loretta A. Preska
December 20, 2019
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For the Court's convenience, counsel for all parties are available to participate in the Initial Pretrial Conference on any of the following alternative dates, subject to the Court's availability:

- January: 29 or 31
- February: 3, 10, 11, 12, 13, 14, 24, and 25

This is the first request by either party to adjourn the Initial Pretrial Conference. In addition, this proposed adjournment will not affect any currently-scheduled deadlines in this case.

We thank the Court for its time and consideration.

Respectfully submitted,

/s/ A. John P. Mancini
A. John P. Mancini

Cc: All Counsel of Record (*via ECF*)

The initial pretrial conference is adjourned
to February 3, 2020 at 10:00 a.m.

SO ORDERED.



Loretta A. Preska
Senior U.S. District Judge

December 26, 2019